

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is requested. Claims 1-12, 14-22, and 24-27 are in this application. Claims 1, 6, 11-12, 14-15, 18, and 24 have been amended. Claims 13 and 23 have been cancelled. In addition to the amendments discussed below, the claims have also been amended to alternately claim the present invention.

The Examiner objected to the amendment filed on June 5, 2006 under 35 U.S.C. §132(a) because the amendment introduced new matter into the disclosure. Specifically, the Examiner argued that (1) an end of a single network cable, (2) a first identifier that represents a first optical device that is connected to an end of a single network cable, and (3) a second identifier that represents a second optical device that is to be connected to the end of the single network cable after the first optical device has been removed from the end of the single network cable are new matter.

With respect to item (1), a single network cable can be read to be, for example, optical fiber OF1 shown in applicant's FIG. 2. Further, the end of the single network cable can be read to be the end of optical fiber OF1 that corresponds with end point EP1. With respect to items (2) and (3), the first and second identifiers (which are stored in a memory element) can be read to be, for example, the active identity and standby identity numbers that are associated with any network end point that is stored in memory 210 shown in applicant's FIG. 2.

Further, applicant's originally-filed specification teaches that the active identity number represents the optical device that is connected to the end of a single network cable, and the standby identity number represents an optical device that is to be connected to the end of the single network cable after the first optical device has been removed from the end of the single network cable. (See from page 11, line

19 to page 12, line 2, and from page 12, line 27 to page 13, line 9 of applicant's originally-filed specification.)

Thus, since items (1), (2), and (3) are supported by applicant's originally-filed specification, items (1), (2), and (3) are not new matter.

The Examiner objected to the drawings under 37 CFR §1.83(a) because the drawings do not show a second optical device that is to be connected to the end of the single network cable. In the amendment mailed on June 5, 2006, applicant noted that the drawings satisfy the requirements of 37 CFR §1.83(a) because a claim to a memory that stores identifiers is satisfied by applicant's FIG. 2, a drawing that includes a memory that stores identifiers.

Further, there is no requirement that the subject matter that is represented by the identifiers stored in a memory be illustrated in a drawing because the subject matter is not a feature of the memory. Every valid value that is stored in a memory represents something, such as a replacement ONT, the results of an equation, or the user's mother's maiden name. There is no requirement that a drawing of a memory include an image of a replacement ONT, an equation, or the user's mother because a claim to a memory recites that the memory stores a value that represents a replacement ONT, the results of an equation, or the user's mother's maiden name.

However, in an effort to further prosecution, applicant proposes amending FIG. 2 as shown in red on an annotated copy of FIG. 2, which is attached in Appendix A. As shown in the annotated copy of FIG. 2, "a second optical device" can be read to be replacement ONT 211. The specification has also been amended to incorporate the changes to FIG. 2. A replacement sheet of FIG. 2 that includes the changes shown in red on the annotated sheet of FIG. 2 is attached in Appendix B.

As a result, the drawings are believed to satisfy the requirements of 37 CFR §1.83(a).

The Examiner rejected claims 1-22 and 24-27 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant notes that the subject matter of a claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the written description requirement. (See MPEP §2163.02.) In other words, a claim need not use the same words that are used in the specification to describe an example of the invention.

With respect to claims 1 and 6, the Examiner argued that there is no support in the originally-filed specification for a memory element "to store a first identifier and a second identifier, the first identifier representing a first optical device that is connected to an end of a single network cable, the second identifier representing a second optical device that is to be connected to the end of the single network cable after the first optical device has been removed from the end of the single network cable."

Applicant notes, however, that the memory element of claims 1 and 6 can be read to be, for example, memory 210 shown in applicant's FIG. 2. The first and second identifiers stored in the memory element of claims 1 and 6 can be read to be, for example, the active identity and standby identity numbers that are associated with any network end point that is stored in memory 210.

Further, as noted above, applicant's originally-filed specification teaches that the active identity number represents the optical device that is connected to the end of a single network cable, and the standby identity number represents an optical device that is to be connected to the end of the single network cable after the first optical device has been removed from the end of the single network cable. (See from page 11, line 19 to page 12, line 2, and from page 12, line 27 to page 13, line 9 of applicant's originally-filed specification.)

As a result, the first and second identifiers of claims 1 and 6 are supported by applicant's originally-filed specification. In addition, since claims 2-5 and 7-10 depend either directly or indirectly from claims 1 and 6, respectively, claims 2-5 and 7-10 are supported by applicant's originally-filed specification for the same reasons as claims 1 and 6, respectively.

With respect to claim 11, the Examiner appears to argue that there is no support in the originally-filed specification for "an end of a single cable." However, a single cable can be read to be, for example, optical fiber OF1 shown in applicant's FIG. 2. Further, the end of the single cable can be read to be the end of optical fiber OF1 that corresponds with end point EP1.

As a result, the end of a single cable of claim 11 is supported by applicant's originally-filed specification. In addition, since claims 12 and 14-17 depend either directly or indirectly from claim 11, claims 12 and 14-17 are supported by applicant's originally-filed specification for the same reasons as claim 11.

The Examiner also argued that there is no support in the originally-filed specification for the limitation that only one optical device is connected to the end of the single cable at a time. Claim 11 has been amended to clarify the claim, and recites "the second optical device being connected to the end of the single cable after the first optical device has been physically removed from the end of the single cable."

The first optical device of claim 11 can be read to be, for example, an ONT that is connected to the end of a single cable. The second optical device, in turn, can be read to be a replacement ONT. Further, applicant's originally-filed specification teaches that the replacement ONT is connected to the end of the single cable after the first optical device has been removed from the end of the single cable." (See from page 13, line 27 to page 14, line 2 of applicant's originally-filed specification.)

As a result, the “sending a second message” element of claim 11 is supported by applicant’s originally-filed specification. In addition, since claims 12 and 14-17 depend either directly or indirectly from claim 11, claims 12 and 14-17 are supported by applicant’s originally-filed specification for the same reasons as claim 11.

With respect to claim 18, the Examiner argued that there is no support in the originally-filed specification for “associating a second identifier with the end of the single network cable so that the first optical device continues to receive network traffic.” However, applicant’s originally-filed specification teaches that storing a standby identity number to a row in table 212 of memory 210 associates that standby identity number with the network end point in the row. (See from page 11, line 26 to page 12, line 2 of applicant’s originally-filed specification.)

As a result, the “associating a second identifier” element of claim 18 is supported by applicant’s originally-filed specification. In addition, since claims 19-20 depend either directly or indirectly from claim 18, claims 19-20 are supported by applicant’s originally-filed specification for the same reasons as claim 18.

The Examiner also argued that there is no support in the originally-filed specification for the element “dispatching a technician to the end of the single network cable to service the first optical device, the first optical device continuing to receive network traffic until the first optical device is disconnected from the network by the technician.”

However, applicant’s originally-filed specification teaches “dispatching a technician to the end of the single network cable to service the first optical device.” (See page 13, lines 19-26 of applicant’s originally-filed specification.) Applicant’s originally-filed specification also teaches that the current ONT continues to receive network traffic until the first optical device is disconnected from the network by the technician. (See page 16, lines 19-23 of applicant’s originally-filed specification.)

As a result, the “dispatching a technician” element of claim 18 is supported by applicant’s originally-filed specification. In addition, since claims 19-20 depend either directly or indirectly from claim 18, claims 19-20 are supported by applicant’s originally-filed specification for the same reasons as claim 18.

With respect to claims 19 and 20, the Examiner argues that there is no support in the originally-filed specification for the “end of the single network cable.” As noted above, a single network cable can be read to be, for example, optical fiber OF1 shown in applicant’s FIG. 2. Further, the end of the single network cable can be read to be the end of optical fiber OF1 that corresponds with end point EP1. As a result, the end of the single network cable of claims 19 and 20 are supported by applicant’s originally-filed specification.

With respect to claim 21, the Examiner argued that there is no support in the originally-filed specification for a memory that stores “a first identifier that represents an end of a single network cable,” “a second identifier that represents a first network device that is connected to the end of the single network cable,” and “a third identifier that represents a second network device that is connectable to the end of the single network cable.”

Applicant notes, however, that the memory of claim 21 can be read to be, for example, memory 210 shown in applicant’s FIG. 2. The first, second, and third identifiers stored in the memory can be read to be, for example, the network end point number, the active identity number, and the standby identity number that are associated with any network end point that is stored in memory 210. As a result, the first, second, and third identifiers of claim 21 are supported by applicant’s originally-filed specification.

With respect to claim 24, the Examiner argued that there is no support in the originally-filed specification for the limitations “an end of a single cable . . .” and “associating a replacement device with the end of the single cable when the

functioning network device is to be serviced.” Claim 24 has been amended to clarify the claim, and recites “a functioning network device connected to an end of a single cable.”

The functioning network device of claim 24 can be read to be, for example, an ONT that is connected to the end of a single cable, such as ONT1 connected to the end of optical fiber OF1. Further, applicant’s originally-filed specification teaches that a replacement device is associated with the end of a single cable when the functioning network device is to be serviced. (See from page 11, line 27 to page 12, line 2 of applicant’s originally-filed specification.)

As a result, the “associating a replacement network device” element of claim 24 is supported by applicant’s originally-filed specification. In addition, since claims 25-27 depend either directly or indirectly from claim 24, claims 25-27 are supported by applicant’s originally-filed specification for the same reasons as claim 24.

Thus, from what can be determined, applicant’s originally-filed specification satisfies the requirements of the first paragraph of section 112 with respect to claims 1-22 and 24-27.

The Examiner rejected claims 18-20 and 24-27 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that applicant regards as the invention. More specifically, the Examiner argued that it is unclear how the second identifier and the replacement network device are involved with the first optical device and the functioning optical device, respectively, receiving network traffic.

Applicant notes, however, that with a prior art memory, such as memory 120A shown in applicant’s prior art FIG. 1, when a functioning network device is to be serviced, a replacement device is associated with the end of the single cable. When the replacement device is associated with the end of the single cable, the functioning

network device no longer receives network traffic. (See page 15, lines 12-25 of applicant's specification.)

With respect to claim 18 and the element "associating a second identifier with the end of the single network cable so that the first optical device continues to receive network traffic," the second identifier is involved with the first optical device receiving traffic in that, unlike the prior art where the association of the second identifier causes the first identifier to stop receiving network traffic, the second identifier is associated so that the first optical device continues to receive network traffic.

Thus, the "associating a second identifier" element distinguishes the present invention over applicant's prior art FIG. 1. As a result, claim 18 satisfies the requirements of the second paragraph of section 112. In addition, since claims 19-20 depend either directly or indirectly from claim 18, claims 19-20 satisfy the requirements of the second paragraph of section 112 for the same reasons as claim 18.

With respect to claim 24 and the element "associating a replacement network device with the end of the single network cable so that the functioning network device continues to receive network traffic," the replacement network device is involved with the functioning network device receiving traffic in that, unlike the prior art where the association of the replacement network device causes the functioning network device to stop receiving network traffic, the replacement network device is associated so that the functioning network device continues to receive network traffic.

Thus, the "associating a replacement network device" element distinguishes the present invention over applicant's prior art FIG. 1. As a result, claim 24 satisfies the requirements of the second paragraph of section 112. In addition, since claims 25-27 depend either directly or indirectly from claim 24, claims 25-27 satisfy the

requirements of the second paragraph of section 112 for the same reasons as claim 24.

As a result, claims 18-20 and 24-27 satisfy the requirements of the second paragraph of Section 112.

The Examiner rejected claims 1-17 and 21-22 under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art in view of Kidder et al. (U.S. Patent Publication No. 2004/0031030 A1). For the reasons set forth below, applicant respectfully traverses this rejection.

Claim 1 has been amended, and recites, in part,

"a memory to store a first identifier and a second identifier, the first identifier representing a first optical device that is connected to an end of a single network cable, the second identifier representing a second optical device that is to be connected to the end of the single network cable after the first optical device has been physically removed from the end of the single network cable."

Claims 6 and 21 recite, in relevant part, similar limitations.

In the rejection, the Examiner pointed to memory 120A shown in applicant's prior art FIG. 1 as constituting the memory required by the claims. Applicant assumes that the Examiner would read the active identity number which can be stored in, for example, the first row and second column of table 134 of memory 120A shown in applicant's prior art FIG. 1 to be the first identifier required by the claims.

However, with respect to the second identifier required by the claims, the Examiner acknowledged that applicant's admitted prior art does not teach that table 134 of memory 120A additionally store a second identifier that represents a second optical device that is to be connected to the end of a single network cable after the first optical device has been removed from the end of the single network cable.

Following this, the Examiner asserted that it is known in the art to have a replacement for a network device that may fail, and to store an identifier of the replacement. As an example, the Examiner pointed to paragraphs 0865-0870 of the Kidder reference, and argued that the Kidder reference teaches to have a second network device and store an identifier of the replacement network device.

More precisely, the Kidder reference teaches that an NMS server maintains an Administration Managed Device Table 1014'. (See paragraph 0858 of Kidder.) Table 1014', which is shown in FIG. 64 of Kidder, includes a list of network devices. For each network device (row) in table 1014', a network device has a number of columns of data that represent the network device, including a host IP address and two physical ID values.

FIGS. 63A and 63B of Kidder show a diagram that illustrates a network device 540. (See paragraph 0854 of Kidder.) As shown in FIGS. 63A and 63B of Kidder, network device 540 has a number of different cards, including port cards, forwarding cards, switch fabric cards, management interface cards, and control cards. Each card, in turn, has a number of physical identifiers, such as a MAC address and a serial number.

The Kidder reference teaches that the two physical ID values stored in table 1014' for a network device 540 can be any two identifiers from any two cards within network device 540. (See paragraph 0860 of Kidder.) For example, the first physical ID 1014e' shown in FIG. 64 of Kidder could be the MAC address of management interface card 621 shown in FIGS. 63A and 63B of Kidder, while the second physical ID 1014f' shown in FIG. 64 could be the MAC address of internal control card 542a shown in FIGS. 63A and 63B of Kidder.

The Kidder reference further teaches that the NMS server authenticates the network devices 540 that are stored in table 1014' by reading the physical ID values from the network devices 540. Kidder teaches that if both of the physical ID values

read from a network device 540 match the physical ID values stored in table 1014', then the network device 540 is authenticated. (See paragraph 0865 of Kidder.)

For example, if the DNS server reads the MAC addresses of management interface card 621 and internal control card 542a from a network device 540, and the MAC addresses match the values stored in the first physical ID 1014e' and the second physical ID 1014f' shown in FIG. 64, respectively, then the network device 540 is authenticated.

Kidder additionally teaches that the network device 540 will also be authenticated even if only one of the physical ID values read from a network device 540 matches the physical ID values stored in table 1014'. (See paragraph 0865 of Kidder.) When only one of the physical ID values read from a network device 540 matches the physical ID values stored in table 1014', Kidder teaches that table 1014' is updated so that the non-matching value read from the network device 540 is stored in table 1014' in place of the non-matching value that was previously stored in table 1014'.

As taught by Kidder, using physical identifiers from multiple cards to uniquely identify a network device provides fault tolerance in that the system will authenticate a network device, even if cards within the network device have failed and been replaced, and automatically update the table 1014' following the replacement of a card. (See paragraph 0866 of Kidder.)

In further rejecting the claims, the Examiner argued that it would have been obvious to have a second network device to be connected to an end point and configure the controller to store an identification number representing the device, as taught by Kidder, in the system of the admitted prior art in order to provide fault tolerance within a network.

Applicant is respectfully unclear as to the argument the Examiner has set forth. As noted above, table 1014' stores two physical ID values (e.g., the MAC

address of two different cards within a network device 540) to identify one network device 540. In applicant's admitted prior art FIG. 1, table 134 stores one active identity number to identify one ONT.

Thus, if a first physical ID value of Kidder is read to be the first identifier, a second physical ID value of Kidder is read to be the second identifier, and a network device 540 of Kidder is read to be the first optical device, then the Kidder reference fails to teach or suggest that the first and second identifiers represent two different optical devices as required by the claims. Instead, Kidder teaches that the first and second identifiers represent the same optical device, i.e., network device 540.

As a result, even if table 134 in applicant's prior art FIG. 1 were expanded to include a second active identity number in view of the Kidder reference, the second active identity number would not represent a second optical device as required by the claims, but would instead represent the same optical device. Thus, it is not possible for applicant's admitted prior art in view of Kidder to have first and second active identity numbers that represent two different optical devices as required by the claims.

In addition, if a first physical ID value of Kidder is read to be the first identifier, a second physical ID value of Kidder is read to be the second identifier, a first card installed within network device 540 of Kidder is read to be the first optical device, and a second card installed within network device 540 of Kidder is read to be the second optical device, then the Kidder reference fails to teach or suggest that the second card is to be connected after the first card has been removed.

As a result, even if table 134 in applicant's prior art FIG. 1 were expanded to include a second active identity number in view of the Kidder reference, the second active identity number would not represent a second optical device that is to be connected to the end of a cable after the first optical device has been removed as

required by claims 1 and 6. Instead, the first and second active identity numbers would represent two cards that are both already installed in the network device.

The portion of the Kidder reference cited by the Examiner does not teach that the physical IDs of cards not yet installed are stored in table 1014', but instead teaches that the physical ID of a card is stored in table 1014' after the card is installed. (See paragraph 0867 of Kidder.) As a result, the second active identity number would not represent a second card that is connectable or not yet installed to the end of the cable as required by claim 21, but instead would represent a second card that is already installed.

Thus, since the second active identity number would not represent a second optical device as required by the claims, claims 1, 6, and 21 are patentable over applicant's prior art FIG. 1 in view of Kidder. In addition, since claims 2-5, 7-10, and 22 depend either directly or indirectly from claims 1, 6, and 21, respectively, claims 2-5, 7-10, and 22 are patentable over applicant's prior art FIG. 1 in view of Kidder for the same reasons that claims 1, 6, and 21 are patentable over applicant's prior art FIG. 1 in view of Kidder.

Claim 11 recites:

"periodically sending a first message to a first optical device connected to an end of a single cable, the first message including a first identifier;

"determining whether the first optical device has failed to respond to the first message a predetermined number of times;

"sending a second message to the end of the single cable when the first optical device fails to respond the predetermined number of times, the second message having a second identifier that represents a second optical device, the second optical device being connected to the end of the single cable after the first optical device has been physically removed from the end of the single cable;

"determining if the second optical device has responded to the second message with the second identifier; and

"sending a third message with the first identifier that represents the first optical device when the second optical device fails to respond to a number of second messages."

In rejecting the claims, the Examiner argued that applicant's prior art FIG. 1 in view of Kidder differs from the claimed invention in that applicant's prior art FIG. 1 in view of Kidder do not teach the "determining" and "sending" elements. The Examiner then pointed to applicant's prior art as teaching periodically sending out an identification number message to determine if a first (to-be-added) ONT has come on line.

Following this, the Examiner appears to argue that one would be motivated to determine if the first (to-be-added) ONT has failed to respond to a predetermined number of identification number messages to determine if the first (to-be-added) ONT has come on line. The Examiner further appears to argue that when the first (to-be-added) ONT has failed to respond to the predetermined number of identification number messages, one skilled in the art would be motivated to send a second message with a second identification number to a second (to-be-added) ONT in order to bring the second (to-be-added) ONT on line.

The Examiner additionally appears to argue that one would be motivated to determine if the second (to-be-added) ONT has failed to respond to a predetermined number of identification number messages to determine if the second (to-be-added) ONT has come on line. Further, the Examiner appears to argue that one would be motivated to send another message to the first (to-be-added) ONT if the second (to-be-added) ONT fails to respond to the predetermined number of identification number messages because this is a duplicate step.

Applicant respectfully does not understand the last argument set forth by the Examiner. The mere fact that a portion of a process can be repeated does not mean that one skilled in the art would be motivated to repeat the portion of the process.

In addition, but for the teachings of the present invention, there is no reason why one would send another message to the first (to-be-added) ONT if it was determined that the second (to-be-added) ONT was not responding.

In the Examiner's argument, the first (to-be-added) ONT would have been removed to make way for the second (to-be-added) ONT because the first (to-be-added) ONT would have been determined to be defective. One would not conclude that the second (to-be-added) ONT is defective until one knew that the second (to-be-added) ONT was connected to the end of the cable.

If the second (to-be-added) ONT does not respond and is determined to be defective, there is no reason why one would reconnect the first (to-be-added) ONT because there is no reason why one would reconnect a device which has been determined to be defective. Instead, one would connect a third new ONT to the end of the cable if the second (to-be-added) ONT was determined to be defective.

In the present invention, a failure to respond can mean that the ONT has been disconnected and is being inspected by a technician. If the technician can fix the ONT, then the ONT can be reconnected to the end of the cable, and the method of the present invention will detect that the ONT is back on line. If the technician can not fix the ONT, then a replacement ONT can be connected to the end of the cable, and the method of the present invention will detect that the replacement ONT is on line.

Thus, since the first (to-be-added) ONT in the Examiner's argument would have been determined to be defective before replacing the first (to-be-added) ONT with a second (to-be-added) ONT, one skilled in the art would not be motivated to send another message to the first (to-be-added) ONT if the second (to-be-added) ONT is also determined to be defective. Thus, since one skilled in the art would not be motivated to send a third message to the first (to-be-added) ONT, claim 11 is patentable over applicant's prior art FIG. 1 in view of Kidder. In addition, since

claims 12 and 14-17 depend either directly or indirectly from claim 11, claims 12 and 14-17 are patentable over applicant's prior art FIG. 1 in view of Kidder for the same reasons as claim 11.

The Examiner rejected claims 18-20 and 24 under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art FIG. 1 in view of Kidder et al. and further in view of Daudelin et al (U.S. Patent No. 6,591,389 B1). For the reasons set forth below, applicant respectfully traverses this rejection.

Claim 18 recites:

"A method of servicing a network, the network having a first optical device connected to an end of a single network cable to receive network traffic, the first optical device having a first identifier, the method comprising:

"associating a second identifier with the end of the single network cable so that the first optical device continues to receive network traffic, the second identifier representing a second optical device that is a replacement for the first optical device, the second optical device not being connected to the end of the single network cable when the second identifier is associated with the end of the single network cable; and

"dispatching a technician to the end of the single network cable to service the first optical device, the first optical device continuing to receive network traffic until the first optical device is disconnected from the network by the technician."

In rejecting claims 18 and 24, the Examiner argued that applicant's prior art FIG. 1 in view of the Kidder reference differed from claims 18 and 24 only in not teaching the "dispatching a technician" element. Thus, the Examiner implicitly argued that applicant's prior art FIG. 1 in view of the Kidder reference teaches the "associating a second identifier" element of claim 18, and the "associating a replacement network device" element of claim 24.

However, applicant's prior art in view of Kidder does not teach the "associating a second identifier" element and the "associating a replacement network

device" element. As noted above, if a first physical ID value of Kidder is read to be the first identifier, a second physical ID value of Kidder is read to be the second identifier, and a network device 540 of Kidder is read to be the first optical device, then the Kidder reference fails to teach or suggest that the first and second identifiers represent two different optical devices as required by the claims. Instead, Kidder teaches that the first and second identifiers represent the same optical device, i.e., network device 540. Thus, it is not possible for applicant's admitted prior art in view of Kidder to have first and second active identity numbers that represent two different optical devices as required by the claims.

In addition, if a first physical ID value of Kidder is read to be the first identifier, a second physical ID value of Kidder is read to be the second identifier, a first card installed within network device 540 of Kidder is read to be the first optical device, and a second card installed within network device 540 of Kidder is read to be the second optical device, then the Kidder reference fails to teach or suggest that the second card is uninstalled when the second card is associated.

As taught by Kidder, the physical ID of a replacement card is associated with a network device in the memory when, in response to an authentication, the NMS server receives the physical ID from the replacement card and the physical ID from a card that matches a physical ID stored in table 1014' shown in FIG. 64 of Kidder. Thus, the replacement card must be installed in the network device of Kidder before the physical ID of the card can be associated with the network device in the memory and, therefore, can not be uninstalled as required by claims 18 and 24.

As a result, even if table 134 in applicant's prior art FIG. 1 were expanded to include a second active identity number in view of the Kidder reference, the second active identity number would not represent a second optical device that is not connected to the end of a cable when the second identifier is associated as required

by claims 18 and 24. Thus, applicant's admitted prior art in view of the Kidder reference do not teach or suggest the "associating a second identifier" element.

Therefore, since applicant's admitted prior art in view of the Kidder reference do not teach or suggest the "associating a second identifier" element, claims 18 and 24 are patentable over applicant's admitted prior art in view of Kidder. In addition, since claims 19-20 depend either directly or indirectly from claim 18, claims 19-20 are patentable over applicant's admitted prior art in view of Kidder for the same reasons as claim 18. Further, claims 18-20 and 24 are patentable over applicant's prior art FIG. 1 in view of Kidder and further in view of Daudelin for the same reasons that claims 18-20 and 24 are patentable over applicant's prior art FIG. 1 in view of Kidder (because applicant's prior art FIG. 1 in view of Kidder does not teach or suggest the "associating a second identifier" element).

The Examiner rejected claim 25 under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art in view of Kidder and Daudelin et al. and further in view of Qin et al. (U.S. Patent No. 6,646,777 B2). In rejecting the claims, the Examiner appears to argue that applicant's admitted prior art in view of Kidder and Daudelin et al. teach all of the limitations of claim 25 except for teaching that the functioning network device is fully functioning.

However, as indicated above, claim 24 is patentable over applicant's admitted prior art in view of Kidder and Daudelin. As a result, since claim 25 depends from claim 24, claim 25 is patentable over applicant's admitted prior art in view of Kidder and Daudelin et al. and further in view of Qin et al. for the same reasons that claim 24 is patentable over applicant's admitted prior art in view of Kidder and Daudelin.

The Examiner rejected claims 26-27 under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art in view of Kidder and Daudelin et al. and further in view of Neeley et al. (U.S. Patent Publication No. 2003/0012485 A1).

10/617,982

PATENT

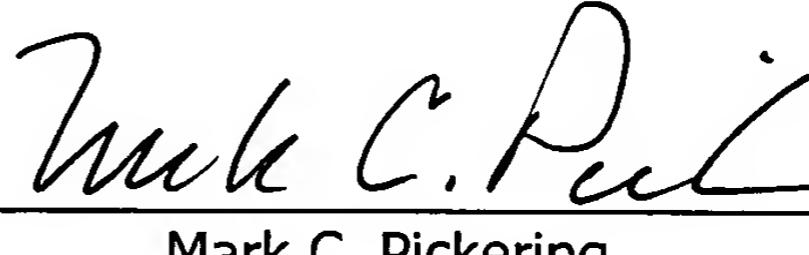
In rejecting the claims, the Examiner appears to argue that applicant's admitted prior art in view of Kidder and Daudelin et al. teach all of the limitations of claim 24.

However, as indicated above, claim 24 is patentable over applicant's admitted prior art in view of Kidder and Daudelin. As a result, since claims 26-27 depend from claim 24, claims 26-27 are patentable over applicant's admitted prior art in view of Kidder and Daudelin et al. and further in view of Neeley et al. for the same reasons that claim 24 is patentable over applicant's admitted prior art in view of Kidder and Daudelin.

Thus, for the foregoing reasons, it is submitted that all of the claims are in a condition for allowance. Therefore, the Examiner's early re-examination and reconsideration are respectively requested.

Respectfully submitted,

Dated: 12-15-06

By:  →
Mark C. Pickering
Registration No. 36,239
Attorney for Assignee

P.O. Box 300
Petaluma, CA 94953-0300
Telephone: (707) 762-5500
Facsimile: (707) 762-5504
Customer No.: 56929

AMENDMENT IN RESPONSE TO OFFICE
ACTION MAILED SEPTEMBER 18, 2006

Atty. Docket No. 200-65501
(PB030022AF)

10/617,982

PATENT

APPENDIX A

AMENDMENT IN RESPONSE TO OFFICE
ACTION MAILED SEPTEMBER 18, 2006

Atty. Docket No. 200-65501
(PB030022AF)

10/617,982

PATENT

APPENDIX B

AMENDMENT IN RESPONSE TO OFFICE
ACTION MAILED SEPTEMBER 18, 2006

Atty. Docket No. 200-65501
(PB030022AF)

Annotated Sheet

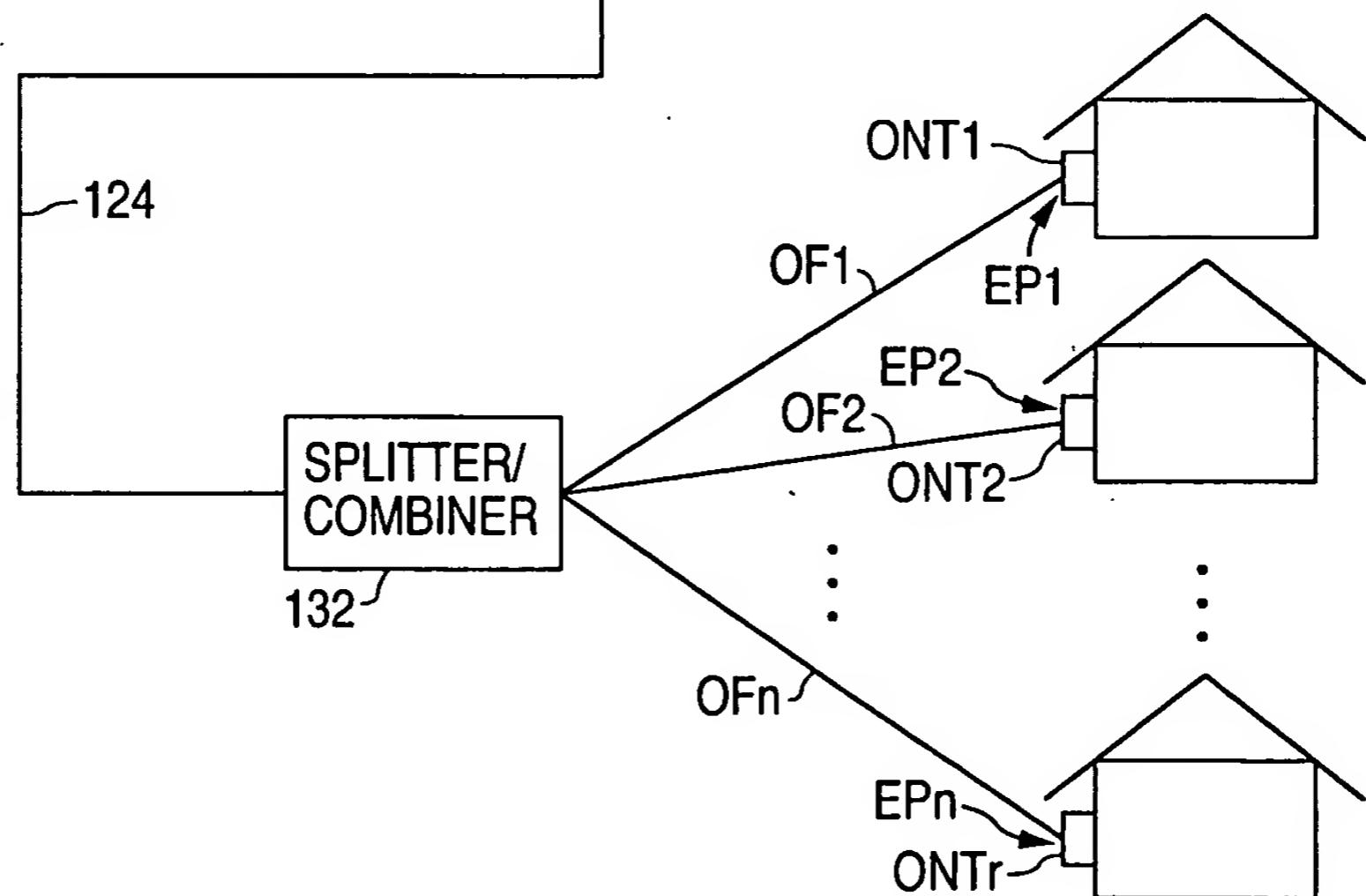
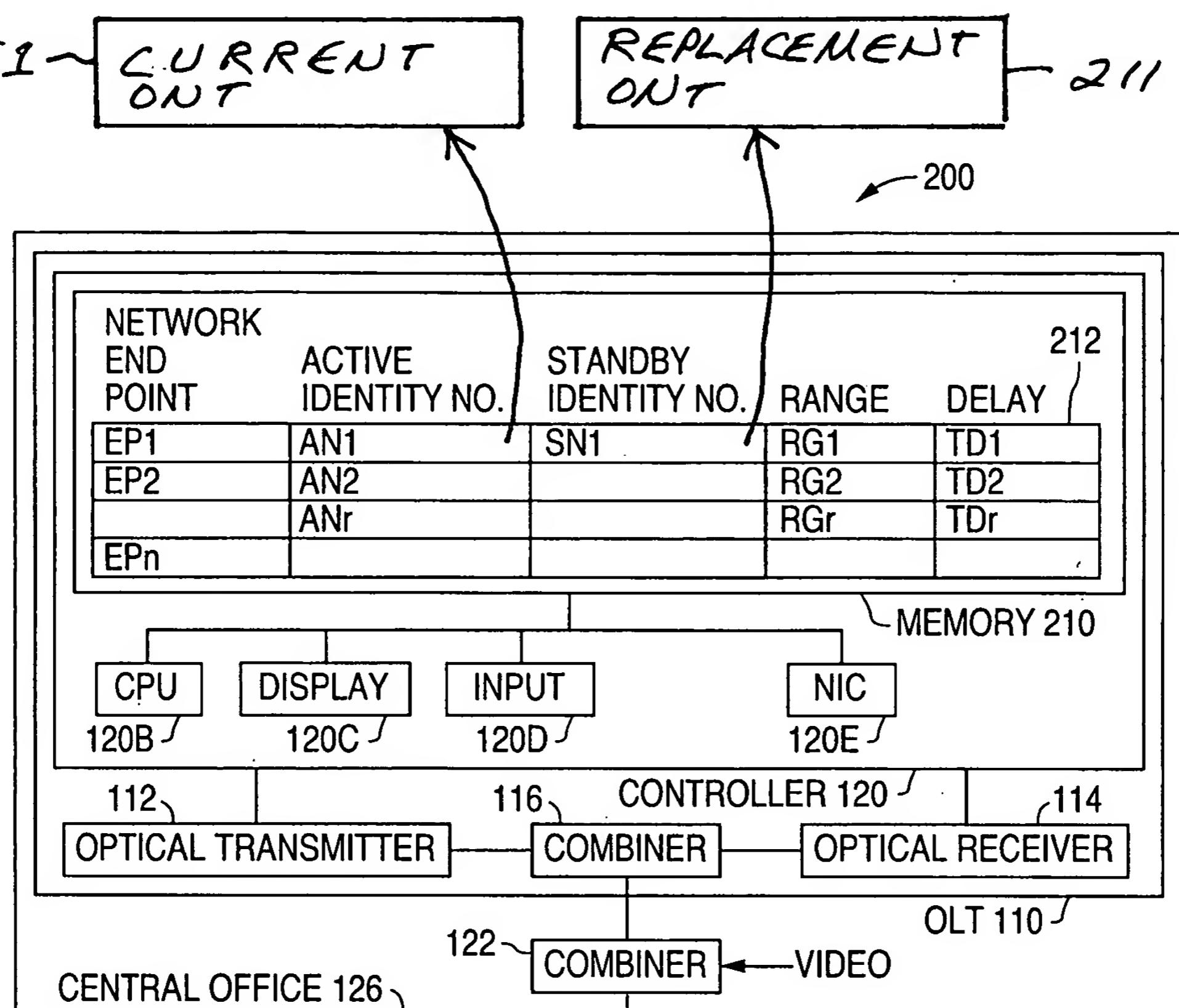


FIG. 2